

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

GEORTO, INC.,	)	
Plaintiff,	)	
	)	
v.	)	
	)	
WILLIAM GATEMAN, INDIVIDUALLY	)	CIVIL ACTION NO. 04-11730 NG
and as TRUSTEE OF 200 UNION	)	
STREET REALTY TRUST,	)	
Defendant and	)	
Third Party Plaintiff,	)	
	)	
v.	)	
	)	
ROBERTS CORPORATION,	)	
Third Party	)	
Defendant.	)	

**AFFIDAVIT OF DALE C. KERESTER DATED APRIL 7, 2006**

I, Dale C. Kerester, do depose and say as follows:

1. I am an attorney licensed to practice law in the Commonwealth of Massachusetts and am a partner in the law firm of Lynch, Brewer, Hoffman & Fink, LLP ("Lynch, Brewer"). I am counsel for Georto, Inc. ("Georto"), Plaintiff in this matter. I submit this affidavit in support of Plaintiff's Motion for Approval of Trustee Process.
2. Attached hereto as Exhibit "A" is a true and accurate copy of the deposition transcript (manuscript) of Stephen McIntyre in this matter.
3. Attached hereto as Exhibit "B" is a true and accurate copy of the deposition transcript (manuscript) of Lauren McKinlay in this matter.
4. Attached hereto as Exhibit "C" is a true and accurate copy of Goldman Environmental Phase 1 Environmental Site Assessment, deposition exhibit no. 8.

5. Attached hereto as Exhibit "D" is a true and accurate copy of Quitclaim Deed, deposition exhibit no. 12.

6. Attached hereto as Exhibit "E" is a true and accurate copy of the S.W. Cole Geotechnical Engineering Evaluation dated May 13, 2004, deposition exhibit no. 31.

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY THIS 7th DAY OF APRIL, 2006.

/s/ Dale Kerester

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Dale C. Kerester

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that I caused a true and accurate copy of the foregoing affidavit to be served upon the counsel listed below by electronic filing, this 7<sup>th</sup> day of April, 2006:

Mark P. McGrath, Esq., BBO #642913 (by first class mail)  
9 West Broadway #214  
Boston, MA 02127  
(617) 271-9009  
mpgrath@aol.com

J. Mark Dickison, Esq., BBO# 629170  
LAWSON & WEITZEN, LLP  
88 Black Falcon Avenue, Suite 345  
Boston, MA 02110

/s/ Dale C. Kerester

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Dale C. Kerester